

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

**TQP DEVELOPMENT, LLC,**  
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**Plaintiff,**  
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**v.**  
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**WELLS FARGO BANK, N.A.,**  
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**Defendant.**  
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**No. 2:12-CV-61-JRG-RSP**  
**CONSOLIDATED**  
**JURY TRIAL DEMANDED**

## ORDER OF DISMISSAL WITH PREJUDICE

CAME ON THIS DAY for consideration of the Stipulated Motion for Dismissal With Prejudice of all claims and counterclaims between plaintiff TQP Development, LLC and defendant Costco Wholesale Corporation in the lead consolidated case, *TQP Development, LLC v. Wells Fargo Bank, N.A.*, Case No. 2:12-cv-61, and *TQP Development, LLC v. Dell Inc.*, Case No. 2:10-cv-446, and the Court being of the opinion that said motion should be GRANTED, it is hereby

ORDERED, ADJUDGED AND DECREED that all claims and counterclaims between plaintiff TQP Development, LLC and defendant Costco Wholesale Corporation, including all

claims relating to U.S. Patent No. 5,412,730 and its *ex parte* reexamination certificate issued on September 20, 2011, No. US 5,412,730 C1, in the lead consolidated case, *TQP Development, LLC v. Wells Fargo Bank, N.A.*, Case No. 2:12-cv-61, and *TQP Development, LLC v. Dell Inc.*, Case No. 2:10-cv-446, are hereby dismissed with prejudice.

It is further ORDERED that all attorneys' fees and costs are to be borne by the party that incurred them.

**SIGNED this 11th day of July, 2013.**



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ROY S. PAYNE  
UNITED STATES MAGISTRATE JUDGE